

DOCKET NO: 216745US0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

BARDO SCHMITT, ET AL.

: EXAMINER: PAUL ZUCKER

SERIAL NO: 10/068,849

: ALLOWED DATE: MARCH 15, 2004

FILED: FEBRUARY 11, 2002

: GROUP ART UNIT: 1621

FOR: PROCESS FOR MANUFACTURING :
UNSATURATED CARBOXYLIC ACID
ANHYDRIDES

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MAY 21 2004

PETITION UNDER 37 C.F.R. 1.181

OFFICE OF PETITIONS

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RECEIVED

MAY 25 2004

SIR:

TECH CENTER 1600/2900

Applicants hereby petition the Commissioner pursuant to 37 C.F.R. 1.181 to invoke supervisory authority to make the application available to the Examiner for formal acknowledgement of three crossed-out documents on the information disclosure statement filed June 13, 2002.

These documents were crossed-out and "no translation" was indicated next to each citation. 37 C.F.R. 1.98(C)(i) indicates that a "concise explanation of the relevance" of documents not in the English language be provided. The Applicants have provided a concise explanation of each of these documents in the specification, and the pertinent portions of the specification are indicated in the Statement of Relevancy that was attached to the Information Disclosure Statement.

Accordingly, the Applicants respectfully request that the Examiner provide written acknowledgement that each of these three documents has been considered. For the

Adjustment date: 10/12/2004 SDIRETA1
08/11/2004 FMERCER 00000002 150030 10068849
01 FC:1460 130.00 CR

08/11/2004 FMERCER 00000002 150030 10068849
01 FC:1460 130.00 DA

1460-130

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September 10, 2004

UNITED STATES PATENT AND TRADEMARK OFFICE
Box 16
Washington, DC 20231

Attn: Frank Lebron
Refund Department

Re: Deposit Account #150030

Dear Mr. Lebron:

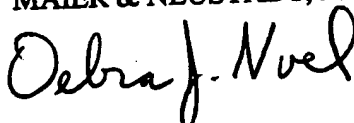
Enclosed is a copy of a portion of our deposit account statement of August 2004. Please review the highlighted charge on **Serial Number 10/068,849** in the amount of \$130.00 on fee code #1460.

An Information Disclosure Statement (IDS) was filed on June 13, 2002. Several documents were crossed-out by the Examiner with "no translation" written next to them. A petition was filed on May 5, 2004, asking that the Examiner look at these documents. The petition also argued that no petition fee is due because a Statement of Relevancy was filed with these documents in place of English translations. The Examiner should consider the references without English translations if a Statement of Relevancy is filed. The petition fee charged to our deposit account was in error and should be refunded.

Please investigate this charge and kindly refund \$130.00 to Deposit Account #150030. Copies of the appropriate paperwork are attached. If you have questions, please do not hesitate to contact me. My phone number is 703-412-6296. Thank you for your assistance.

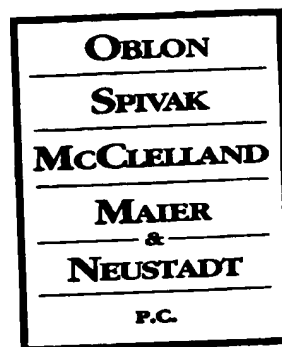
Sincerely,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Debra J. Noel
Accounting Department

Enclosures



ATTORNEYS AT LAW

KATHLEEN A. MORSBERGER
CONTROLLER
(703) 412-6494
KMORSBERGER@OBLON.COM



United States
Patent and
Trademark Office

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Deposit Account Statement

Requested Statement Month:

Deposit Account Number:

Name:

Attention:

Address:

City:

State:

Zip:

NORMAN F. OBLON

1940 DUKE STREET
ALEXANDRIA
VA
22314

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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08/12 331	09459638	05574006-2	1504	\$300.00	\$23,797.71
08/13 2	10337774	232500US0/SHB	1202	\$54.00	\$23,743.71
08/13 67	10916596	257200US6	1201	\$86.00	\$23,657.71
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08/16 52	09784444	230070US0XPC	1504	\$300.00	\$22,897.71

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Dept.: CHEMICAL
By: NFO:JKP:slj

OSMMAN File No. 216745US0

In the matter of the Application of: **Bardo SCHMITT, et al.**

For: **PROCESS FOR MANUFACTURING UNSATURATED CARBOXYLIC ACID ANHYDRIDES**

The following has been received in the U.S. Patent Office on the date stamped hereon:

- | | | |
|---|------------------------------|---------------------------------|
| <input type="checkbox"/> Specification | Claims/Drawings | Sheets |
| <input type="checkbox"/> Combined Declaration, Petition & Power of Attorney | Pages Application Data Sheet | pages |
| <input type="checkbox"/> List of Inventor Names and Addresses | | |
| <input type="checkbox"/> Utility Patent Application Transmittal | | |
| <input type="checkbox"/> Notice of Priority | | |
| <input type="checkbox"/> Check for | | |
| <input type="checkbox"/> Fee Transmittal Form | | |
| <input type="checkbox"/> Assignment/PTO 1595 pages: | | |
| <input type="checkbox"/> Letter to Official Draftsman | | |
| <input type="checkbox"/> Letter Requesting Approval of Drawing Changes | | |
| <input type="checkbox"/> Drawings | sheets | <input type="checkbox"/> Formal |
| <input type="checkbox"/> Letter | | |
| <input type="checkbox"/> Amendments | | |
| <input checked="" type="checkbox"/> Cited References (9) | | |
| <input type="checkbox"/> Search Report | | |
| <input checked="" type="checkbox"/> Statement of Relevancy | | |
| <input type="checkbox"/> IDS/Related/List of Related Cases | | |
| <input type="checkbox"/> Restriction Response | | |
| <input type="checkbox"/> Rule 112 Declaration | | |
| <input type="checkbox"/> Petition for Extension of Time | | |
| <input type="checkbox"/> Notice of Appeal | | |
| <input type="checkbox"/> Brief | | |
| <input type="checkbox"/> Issue Fee Transmittal | | |
| <input type="checkbox"/> White Advance Serial Number Card | | |
- ☐ CPA
☐ Priority Doc
☒ Dep. Acct. Order Form
- ☒ PTO-1449
- ☐ Cited Pending Applications
- ☐ Election Response



Due Date: June 13, 2002

DOCKET NO.: 216745US0

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Bardo SCHMITT, et al.

FILED: February 11, 2002

FOR: PROCESS FOR MANUFACTURING UNSATURATED CARBOXYLIC ACID
ANHYDRIDES

The references cited on the attached Form PTO-1449:

Reference AO (SU 228016):

This reference is discussed on page 2, line 3 of the specification.

Reference AP (DE 35 10 035):

This reference is discussed on page 1, line 11 and page 2, line 9 of the specification.

Reference AQ (DE 35 44 765):

This reference is discussed on page 2, line 5 of the specification.

Reference AR (FR 2 592 040):

This reference is discussed on page 1, line 19 and page 2, line 10 of the specification.

Reference AS (DE 36 44 222):

This reference is discussed on page 2, line 12 and page 4, line 9 of the specification.

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SHEET 1 OF 1

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 216742US0		SERIAL NO. 10/068,849	
LIST OF REFERENCES CITED BY APPLICANT				Bardo SCHMITT, et al.			
JUN 13 2002				Filing Date: 11-2002			
U.S. PATENT CLASSIFICATION							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
PAZ	AA	4 781 868	11/1/88	Langerbeins (corresponds to DE 35 24 765)			
PAZ	AB	4 874 558	10/17/89	Fife et al.			
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
							✓
							✓
PAZ	AQ	DE 35 44 765	6/18/87	DE 4 781 868			✓
PAZ	AR	FR 2 592 040	6/21/89	FR 90CE			✓
							✓
PAZ	AT	WO 95/32940	12/1/95	WO 90			
	AU						
	AV						
OTHER REFERENCES (including Author, Title, Date, Patent Pages, etc.)							
PAZ	AW	D. PLUSQUELLEC, et al., "A New Synthesis of Carboxylic and Carbonic Acid Anhydrides using Phase Transfer Reactions", TETRAHEDRON, vol. 44, No. 9, pp 2471-2476, 1988.					
	AX						
	AY						
	AZ						
Examiner					<input type="checkbox"/> Additional References sheet(s) attached Date Considered 5.21.03		
*Examiner: Initial reference is considered, which is not in the prior art. If not in the prior art, draw line through citation if not in conformance and not considered. Include only references that are considered.							

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 JUN 25 2002
 TECH CENTER 1600/2300

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OSMM&N File No. 216749US0

Dept.: Chemical

By: NFO/TMC/krs

In the matter of the Application of: Bardo SCHMITT, et al.

For: PROCESS FOR MANUFACTURING UNSATURATED CARBOXYLIC ACID ANHYDRIDES

Due Date: n/a

The following has been received in the U.S. Patent Office on the date stamped hereon:

■ Dep. Acct. Order Form

■ PTO Cover Letter

■ Copy of Date-stamped Filing Receipt, Information Disclosure Statement, PTO 1449 and Statement of Relevancy filed June 13, 2002



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DOCKET NO: 216745US0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

BARDO SCHMITT, ET AL.

SERIAL NO: 10/068,849

FILED: FEBRUARY 11, 2002

FOR: PROCESS FOR MANUFACTURING :
UNSATURATED CARBOXYLIC ACID
ANHYDRIDES

: EXAMINER: PAUL ZUCKER

: ALLOWED DATE: MARCH 15, 2004

: GROUP ART UNIT: 1621

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby petition the Commissioner pursuant to 37 C.F.R. 1.181 to invoke supervisory authority to make the application available to the Examiner for formal acknowledgement of three crossed-out documents on the information disclosure statement filed June 13, 2002.

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documents

the pertinent portions of the specification are indicated in the Statement of Relevancy that was attached to the Information Disclosure Statement.

Accordingly, the Applicants respectfully request that the Examiner provide written acknowledgement that each of these three documents has been considered. For the

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Application No. 10/068,849
Petition Under 37 C.F.R. 1.181

convenience of the Examiner, a copy of the previously filed Information Disclosure Statement, Statement of Relevance, and a stamped filing receipt is attached to this petition.

However, in the event any variance exists between the required petition fee and this amount, please charge or credit the difference to our Deposit Account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Thomas M. Cunningham
Attorney of Record
Registration No. 45,394

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 08/03)